
EMPLOYEE RESPONSIBILITIES

Employee Responsibilities provides directions in accordance with rights and benefits under the following:

1. [Civil Service Commission Rule 2-14](#): "Rights of Employees Absent Due to Service in the Uniformed Services"
2. [Civil Service Regulation 2.04](#): "Military Leaves of Absence and Return to Work: Basic Rights"

EMPLOYEE INFORMATION & RESPONSIBILITIES

1. Employees must notify their supervisor and HR Office of scheduled military training dates or active duty deployment. If and when orders are submitted to their HR offices, they will be transmitted to MCSC Office of Compliance for review.

When an employee submits military orders, it (1) provides notice to the employer of possible absence from work and (2) informs the financial offices whether the military service is training duty, emergency active duty in or in support of soldiers in a combat zone, or another type of active duty military service not qualifying under the "combat zone" eligibility for social security/Medicare tax exemption. This is important when an employee is eligible for supplemental pay.

Orders can be cancelled, postponed, amended, or extended. Orders do not provide verification that the individual actually performed that military service. Orders are an "intent" or a "notice" of possible military service. It is the employee's responsibility to provide documentation that military duty was actually served.

2. **Employees may use annual leave, banked leave, or compensatory time credits for military service.** ADM1 is not to be used by employees absent for military leave. Employees (or timekeepers) code timesheets with the hours-type code "NOPY" for days absent from regularly scheduled workdays to serve in the uniformed services. A "**state work day**" is considered an 8-hour workday regardless of what the employee would have been scheduled to **work** if not on a military leave. If leave is for full-time active duty, the employee's time entry is 8NOPY for Monday-Friday. Employees may use annual leave, banked leave, or compensatory time credits at the beginning of any emergency active duty. Once the leave accruals end, time is entered as NOPY for the remainder of the military service.
3. Accruals are credited only for the first 15 days of eligible training duty under rule 2-14.2(a). Accruals will be adjusted in any pay period for any hours exceeding the FY15 training duty day limit. Accruals are credited only for the first 30 consecutive calendar days of eligible emergency active duty under rule 2-14.2(b) upon return to work. An employee eligible for extended supplemental pay under rule 2-14.2(b) on October 1 receives the appropriate personal leave grant upon return to work.
4. Employees submit Military Leave & Earnings Statements (LES) to their HR Offices who will submit to MCSC Office of Compliance for review and processing of any supplemental pay due the employee. This LES statement is the official documentation verifying absence for service in the uniformed services. During active duty deployments, employees or their representatives may submit an LES to the HR Offices for processing as above. If an employee does not submit documentation

to verify absence from work, any undocumented hours and earned accruals will be deducted from the employee's counters.

5. To serve as acceptable documentation of military service, an LES must clearly show all of the following:
 - **From the Top Line:** EMPLOYEE NAME, GRADE, YRS SERV.
 - **Entitlements Type:** Basic Pay & Dollar Amount, i.e. \$3201.60.
 - **Remarks:** The lines that state what type of duty was performed and all dates that the Basic Pay amount covers.
6. An eligible employee receives a pay differential for each day absent from scheduled employment for uniformed service. A pay differential equals the difference between the employee's (1) gross basic pay in the uniformed service and (2) gross base wage in the classified service on the last day worked.
7. Supplemental pay for training duty is payable for up to 15 (20 under MSPTA collective bargaining agreement) scheduled workdays in any fiscal year. Employees who perform intermittent active or inactive training duty will receive pay differentials after the state pay period that includes the end date of the LES is released through payroll processing. MCSC Office of Compensation must verify payroll processing to accurately calculate any supplemental pay
8. Employees should notify their HR Offices of discharge and return-to-work dates as soon as possible. When available, employees also submit a copy of their DD-214 to the HR Office for transmittal to MCSC Office of Compliance. If the employee does not return within two pay periods following discharge, an unpaid leave of absence is processed.
9. If an employee's active duty orders are amended or extended, the new orders should be submitted to the HR Office for transmittal to MCSC Office of Compliance. No supplemental pay will be processed if the military LES is dated after the projected discharge date of the most recently received orders. If it is discovered that supplemental pay was processed after the employee's discharge date, a recovery of overpayment will be processed when the employee returns to work.
10. Decompression time is the period between discharge from military service and the employee's return to work. It is unpaid and without benefits. Continuous service credit is given for any decompression time, if the employee exercises that option. The amount of decompression time an employee is allowed depends on the length of the most recent service. Decompression time is ended once an employee's time is changed from NOPY to leave accruals or the employee returns to a regular work schedule.
11. **State Service Hours:** Under the HRMN payroll system, NOPY hours continue the employee in active status in order to process supplemental pay. This time is not officially credited to the employee until the employee returns to work. Civil Service Regulation 2.04, like USERRA, only grants seniority benefits when the employee is reemployed.

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12. **Retirement Service Credit:** The retirement system is independent and separate from the MCSC, HRMN functions, and HR Offices. Office of Retirement Services (ORS) will only discuss an employee's retirement program with the employee. The employee needs to contact DMB, WDRA/ORS upon discharge to ensure that retirement credits, contributions, and service hours are appropriate for the period of active duty military service when coded as NOPY.

For employees returning from military leave to obtain intervening retirement service credit and missed employer 401(k) contributions:

- Complete a military service credit application and forward that to ORS along with a copy of your DD214 and/or LES.
- Defined Contribution plan employees (DC or 40 plan) should use the *new* form R0717G, available at the ORS web site http://www.michigan.gov/documents/orsstatedc/R717G_DC_Military_LOA_209572_7.pdf
- Defined Benefit Plan employees (DB or 04 plan) should use form R81G: http://www.michigan.gov/documents/R81G_129584_7.pdf
- Submit this with a copy of your military papers to: Office of Retirement Services, PO Box 30171, Lansing MI 48909.

All employees are entitled under USERRA to make up missed employee contributions to 401(k) and 457 plans if ORS receives the appropriate paperwork.